

BRIMFIELD TOWNSHIP BOARD OF ZONING APPEALS

BRIMFIELD TOWNSHIP BOARD OF ZONING APPEALS
ORGANIZATIONAL MEETING MINUTES of January 7, 2015

Brimfield Town Hall Meeting Room – 1333 Tallmadge Road, Kent

Present: Lisa Cotten Scot Etling Vince Murdocco Ed Shutty

Alternates: Cheryl Rueschman

Absent: Chairman Bruce Knippenberg

Staff: Dick Messner, Zoning Inspector Wendi O’Neal, Assistant Zoning Inspector

Public Present:

Name	Address	Company / E-mail
Travis Munn	2800 South 11 th St. Kalamazoo, Michigan 49009	Hurley & Stewart 269.552.4960

CALL TO ORDER:

Dick Messner, Zoning Administrator calls the Brimfield Township Board of Zoning Appeals to order at 7:15 PM at the Thursday, January 7, 2016 meeting:

Roll Call:

Cotten = Here

Etling = Here

Knippenberg = Absent

Murdocco = Here

Shutty = Here

Rueschman = Here

Cheryl Rueschman, alternate reserves voting rights for this meeting in lieu of absent member.

Election of Officers:

First Call for nominations for Chairman:

Lisa Cotten nominates and motions that **Bruce Knippenberg** remain as chairman, seconded by **Vince Murdocco**.

Second Call for nominations for Chairman:

NONE; being none, no need for third call.

Passes unanimously.

Chairman for the calendar year 2016 will be **Bruce Knippenberg**.

First Call for nominations for Vice Chairman:

Vince Murdocco nominates **Lisa Cotten** for Vice Chairman, seconded by **Ed Shutty**.

Second Call for nominations for Vice Chairman:

Scot Etling nominates **Vince Murdocco**, no second.

Second Call for nominations for Chairman:

NONE; being none, no need for third call.

Passes unanimously.

Vice Chairman for the calendar year 2016 will be **Lisa Cotten**.

Dick Messner, Zoning Administrator turns the meeting over to Vice Chair **Lisa Cotten**.

MOTION#2016-001

A motion is made to accept the Agenda as presented by **Vince Murdocco**, seconded by **Ed Shutt**y. Motion carries.

MOTION#2016-002

A motion was made by **Vince Murdocco** to approve as presented the November 18, 2015 Meeting Minutes, seconded by **Ed Shutt**y. Motion carries.

MOTION#2016-003

A motion was made by **Scot Etling** to table the December 16, 2015 Meeting Minutes, seconded by **Vince Murdocco**. **Lisa Cotten** abstains. Motion carries.

Lisa Cotten dually notes that the meeting has been advertised per the Ohio Revised Code and neighboring properties notified.

SWEARING IN OF APPLICANTS AND COMMENTERS:

Lisa Cotten states that the Board of Zoning Appeals is a quasi-judicial board. Anyone having any statements, comments or questions to make tonight shall be directed towards the Board and we ask that you state your name, address, and that you swear or affirm that all the statements that you are making are true to the best of your knowledge; everyone is considered under oath.

PUBLIC COMMENTS: NONE

APPLICATIONS:

Variance Application:

Applicant: CGP Brimfield MF, LLC
Location: 4030 Cascades Blvd. Kent, Ohio 44240
Parcel: 04-037-00-00-003-004
Zoning: I – C, Integrated Commercial
Section: 311.03: Required Frontage
Frontage on Public Road Variance

Dick Messner: Gives a brief overview:

- Applicant is representing Mattress Firm
- Location 4030 Cascades Blvd, within the Cascades Regional Retail Center
- Re-plat of Lot B into B1, B2, B3 includes all variances and requirements.
- In packet is series of drawings: Smaller print of what is on the map on the wall.
- Picture of the overview.
- Explains the surrounding locations being located off of Tallmadge Rd. and Cascades Blvd; neighboring Applebee's, behind the car wash, next to Chipotle, with the adjacent private drive of Walmart's.

- Mirrors the situation that occurred with Murphy's Oil in 2008 being landlocked, no frontage on public road.
- Regional Planning has been working with them to ensure the right of access and all the easements are in place. Also Walmart has sign intents that it will never become a public road. Also has for the landlocked people to have rights of access. Leaves the carwash that is going to be landlocked due to their ingress and egress on private drive.
- Mattress Firm's entrance will be located on the private drive.
- Asked Mattress Firm to align with the buildings in place, which they have done with the small retail strip with DQ and Chipotle and have shared parking.
- Pretty much exactly the same textbook example of Murphy's Oil.
- Regional Planning has conditional approved the re-plat and they will give final approve once this Board approves the split.
- The Zoning Department does suggest and recommend approval by the Board of Zoning Appeals.
- Opens the floor for questions.

Lisa Cotten: So you are saying that the façade with the building strip with DQ and Chipotle?

Dick Messner: Yes, on the west side of the building; very close to it.

Scot Etling: Is this just a free standing building?

Dick Messner: Yes, 4,000 Square foot free standing building.

Scot Etling: Okay.

Travis Munn: 2800 South 11th St. Kalamazoo, Michigan 49009 – Hurley & Stewart, Our client is CGP, Mattress Firm. We are here representing them and requesting this variance, as Mr. Messner had gone through. He pretty much nailed all the high points so I can answer any questions that you may have. The reason we need this variance is because we are splitting this off; we can't development that corner without splitting it which requires that land to be landlocked. And there is really no way to do that without a variance; that southwest corner cannot be development without a variance.

Lisa Cotten: Right. So that is the hardship?

Travis Munn: Essentially, yes, correct.

Dick Messner: For the Chair, this has been dually advertised, the contiguous property owners have been notified; there has been no comments in return.

Lisa Cotten: Okay, thanks. Any questions?

Vince Murdocco: No, I have looked over it and I think it is a smart move to have them put a building there. So I would make the recommendation that we approve the plans.

MOTION#2016-004

A motion is made by **Vince Murdocco** to approve the variance for required frontage as submitted to the Board of Zoning Appeals, and was seconded by **Scot Etling**. Motion Carries.

AUDIENCE QUESTIONS:

OLD BUSINESS:

Vince Murdocco asks about the status of the property/building of the current Mattress Factory.

Dick Messner states that the proposed plan, fell through.

NEW BUSINESS:

Wendi O’Neal states that the Brimfield Bread Oven has opened. Dick Messner explains it is strictly a huge brick oven, took home bread and they are good.

GOOD OF THE ORDER: NONE

SET NEXT MEETING:

Next meeting is scheduled for Wednesday, February 17, 2015, at 7:15 PM.

ADJOURN:

MOTION#2016-005

A motion was made by **Scot Etling** to adjourn the December 16, 2015 Board of Zoning Appeals meeting, and was seconded by **Vince Murdocco** at 8:00 PM. Motion carries.

Chairman Bruce Knippenberg

Vice Lisa Cotten

Scot Etling

Vince Murdocco

Ed Shuttly

Secretary Wendi O’Neal

Alternate: Cheryl Rueschman